

2005 Dec-16 PM 04:31
U.S. DISTRICT COURT
N.D. OF ALABAMA

UNITED STATES DISTRICT COURT

RECEIVED
MIDDLE DISTRICT OF ALABAMA

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MONTGOMERY, ALABAMA 36101-0711

U.S. DISTRICT COURT
N.D. OF ALABAMADEBRA P. HACKETT
Clerk

TELEPHONE:

December 12, 2005

334 223-7308

Mr. Perry Mathis, Clerk
United States District Court
140 Hugo L. Black
United States Courthouse
1729 Fifth Avenue North
Birmingham, AL 35203-2000

ND/AL
2:05-CR-554-CLS

Re: United States of America v.
Jason William Cates
Cr. No. 2:01-cr-00086-T

Dear Mr. Mathis:

An Order transferring jurisdiction of probation of the defendant in the above-styled case to the Northern District of Alabama was signed by Judge Myron H. Thompson of this district on July 21, 2005, and was accepted by your district on August 26, 2005. Pursuant to said Order, the Transfer of Jurisdiction form, with the following certified documents are enclosed.

1. Indictment
2. Judgment and Commitment
3. Docket Sheet

Please acknowledge receipt thereof on a copy of this transmittal letter and return in the enclosed, self-addressed envelope.

Sincerely,

DEBRA P. HACKETT, CLERK

By: 

Sheila Carnes
Deputy Clerk

/snc



Enclosures

cc: Jason William Cates
U. S. Attorney (MDA)
U. S. Marshal (MDA)
U. S. Probation Office (MDA)
U. S. Probation Office (NDA)



TRUE COPY:

By: 

PROB 22 (Rev. 2/88)		DOCKET NUMBER (Tran. Court) 2:01CR00086-001 DOCKET NUMBER (Rec. Court)	
TRANSFER OF JURISDICTION RECEIVED 2005 DEC -9 P 1:31 2005 DEC 15 PM 1:04			
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE Jason William Cates DEBRA P. HACKETT, CLK U.S. DISTRICT COURT MIDDLE DISTRICT ALA		DISTRICT Middle District of Alabama DIVISION Northern NAME OF SENTENCING JUDGE Myron H. Thompson, U. S. District Judge	
		DATES OF PROBATION/ SUPERVISED RELEASE FROM 05/03/05 TO 05/02/08	
OFFENSE Threats Against The President of the United States		<div style="border: 1px solid black; padding: 5px; display: inline-block;"> ND / AL 2:05-CR-554-CLS </div>	
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>MIDDLE</u> DISTRICT OF <u>ALABAMA</u>			
IT IS HEREBY ORDERED that, pursuant to 18 U.S.C. 3605, the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the <u>NORTHERN DISTRICT OF ALABAMA</u> upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.*			
<u>7/21/2005</u> Date		 United States District Judge	
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE <u>NORTHERN</u> DISTRICT OF <u>ALABAMA</u>			
IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.			
<u>August 26, 2005</u> Effective Date		 United States District Judge	

FILED

JAN 27 2001

CLERK *Jul*
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)

v.)

JASON WILLIAM CATES)

CR. NO. 01-86-N

[18 USC 871(a);

18 USC 875(c)]

INDICTMENT

ND/AL

2:05-CR-554-CLS

The Grand Jury charges:

COUNT 1

On or about the 14th day of November, 2000, in Elmore
Alabama, within the Middle District of Alabama,

JASON WILLIAM CATES,

defendant herein, knowingly and willfully deposited for
conveyance in the mail, a letter containing a threat to take the
life of, and inflict bodily harm upon the President of the United
States in violation of Title 18, United States Code, Section
871(a).

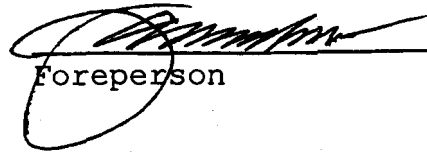
COUNT 2

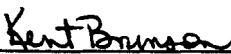
On or about the 14th day of November, 2000, in Elmore
Alabama, within the Middle District of Alabama,

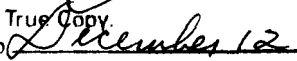
JASON WILLIAM CATES,

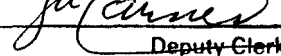
defendant herein, transmitted in interstate communication, that
is: from Elmore, Alabama, to Washington, D.C. , a letter
containing a threat to injure and kill United States District
Judge U.W. Clemon, in violation of Title 18, United States Code,
Section 875(c).

A TRUE BILL:


Foreperson


KENT B. BRUNSON
Assistant United States Attorney

ATTEST A True Copy.
Certified to  December 12, 2005.
Clerk, U.S. District Court,
Middle District of Alabama

BY 
Deputy Clerk

FILED

UNITED STATES DISTRICT COURT

MAY 23 2002

MIDDLE

District of

ALABAMA CLERK

UNITED STATES OF AMERICA

V.

JASON WILLIAM CATES

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 2:01CR00086-001

Joseph Van Heest
Defendant's Attorney

THE DEFENDANT:

X pleaded guilty to count(s) One of the Indictment on 10/16/2001

☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:871(a)	Threats Against the President of the United States	11/14/2000	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____X Count(s) Two of the Indictment X is ☐ are dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No.: 421-17-1383

Defendant's Date of Birth: 11/09/1977

Defendant's USM No.: 10908-002

Defendant's Residence Address:

305 County Road 467

Hanceville, AL 35077

Defendant's Mailing Address:

Same as Above

05/22/2002

Date of Imposition of Judgment

Signature of Judicial Officer

MYRON H. THOMPSON, UNITED STATES DISTRICT JUDGE

Name and Title of Judicial Officer

Date

ATTEST: A True Copy.

Certified to December 12, 2005.

Clerk, U.S. District Court,
Middle District of Alabama

BY

Deputy Clerk

58

DEFENDANT: JASON WILLIAM CATES
 CASE NUMBER: 2:01CR00086-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 33 Months.

The defendant shall stand committed upon release to federal custody. This sentence shall run **consecutively** to any state or federal sentence now being served.

☒ The court makes the following recommendations to the Bureau of Prisons:
 The Court recommends that the defendant be designated to a facility where Intensive Residential Substance Abuse Treatment and Intensive Mental Health Treatment are available. The Court further recommends that the defendant be designated to a facility as close to his home as possible.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____
☒ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____
☒ as notified by the United States Marshal.
☒ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

 UNITED STATES MARSHAL

By _____
 DEPUTY UNITED STATES MARSHAL

DEFENDANT: JASON WILLIAM CATES
CASE NUMBER: 2:01CR00086-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term 3 Years

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.
- ☐ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: JASON WILLIAM CATES
CASE NUMBER: 2:01CR00086-001

SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall participate in drug testing and/or treatment as directed by the probation officer. He shall contribute to the cost of any treatment based on ability to pay and availability of third party payments.
2. The defendant shall participate in a mental health treatment program as directed by the probation officer and contribute to the cost based on ability to pay and availability of third party payments.
3. While on supervised release, the defendant shall pursue paternity testing to determine if DeVon Duncan is his natural child. If it is determined that the defendant is the natural father of this child, the defendant is ORDERED to pay child support as ordered by the local court.

DEFENDANT: JASON WILLIAM CATES
 CASE NUMBER: 2:01CR00086-001

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 100.00	\$ 0.	\$ 0.

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>*Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
----------------------	----------------------------------	--	--

TOTALS \$ _____ \$ _____

☐ If applicable, restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part E may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

☐ the interest requirement is waived for the ☐ fine and/or ☐ restitution.

☐ the interest requirement for the ☐ fine and/or ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: JASON WILLIAM CATES
 CASE NUMBER: 2:01CR00086-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☒ Lump sum payment of \$ 100.00 due immediately, balance due
☐ not later than _____, or
☐ in accordance with ☐ C, ☐ D, or ☐ E below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ E below); or
- C ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☒ Special instructions regarding the payment of criminal monetary penalties:

All criminal monetary penalty payments shall be made to the Clerk, United States District Court, Middle District of Alabama, Post Office Box 711, Montgomery, AL 36101, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Defendant Name, Case Number, and Joint and Several Amount:

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.

27BE, CLOSED

U.S. District Court
Alabama Middle District (Montgomery)
CRIMINAL DOCKET FOR CASE #: 2:01-cr-00086-MHT-ALL
Internal Use Only

Case title: USA v. Cates

NDIAL
2:05-cr-554-CLS

Date Filed: 06/27/2001

Assigned to: Judge Myron H.
Thompson

Defendant

Jason William Cates (1)
TERMINATED: 05/23/2002

represented by **Federal Defender**
Federal Defenders
Middle District of Alabama
201 Monroe Street, Suite 1960
Montgomery, AL 36104
334-834-2099
Fax: 834-0353
Email: ECFCMALM@fd.org
TERMINATED: 05/23/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Joseph Peter Van Heest
Law Office of Joseph P. Van Heest,
LLC
P.O. Box 4026
402 S Decatur St
Montgomery, AL 36103
334-263-3551
Fax: 334-263-3227
Email: jpvvanheestcourts@bellsouth.net
TERMINATED: 05/23/2002
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

ATTEST: A True Copy.
Certified to December 12, 2005
Clerk, U.S. District Court,
Middle District of Alabama
BY *J. J. Arner*
Deputy Clerk

Pending Counts**Disposition**

18:871(a) THREATS AGAINST
 PRESIDENT - NMT \$250,000; *;
 NMT 5 Y, B; NMT 3Y SUP REL; \$100
 SA; VWPA; G-LINES
 (1)

33 Mos Imp; 3 Yrs Sup Rel; \$100 SA

Highest Offense Level (Opening)

Felony

Terminated Counts

18:875(c) - INTERSTATE
 COMMUNICATION THREATS -
 NMT \$250,000, *; NMT 5Y, B; NMT
 3Y SUP REL; \$100 SA; VWPA;
 G-LINES
 (2)

Disposition

Dismissed on Government's 5/22/02
 Oral Motion

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

United States of America

represented by **Kent B. Brunson**
 U.S. Attorney's Office
 PO Box 197
 Montgomery, AL 36101-0197
 334-223-7280
 Fax: 223-7560
 Email: Kent.Brunson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/27/2001	1	INDICTMENT as to Jason William Cates (1) count(s) 1, 2 (dmk) (Entered: 06/29/2001)
06/27/2001		**Added Government Attorney Kent B. Brunson as to Jason William Cates (dmk) (Entered: 06/29/2001)

06/27/2001		Magistrate Judge Susan Russ Walker assigned to case for discovery matters as well as matters subsequently referred by District Judge . (dmk) (Entered: 06/29/2001)
06/27/2001		(dmk) (Entered: 06/29/2001)
06/27/2001		**Added 'ip' party US Marshals Service, Montgomery U.S. Probation, U.S. Pretrial (dmk) (Entered: 06/29/2001)
06/27/2001		**Added 'ip' party Jason William Cates, c/o Easterling Correctional Facility, Clio, AL (dmk) (Entered: 06/29/2001)
06/29/2001	2	Arrest WARRANT issued as to Jason William Cates (dmk) (Entered: 06/29/2001)
06/29/2001	3	PETITION by USA for Writ of Habeas Corpus ad prosequendum as to Jason William Cates (referred to Mag. Judge Susan R. Walker) (dkt clerk) (Entered: 06/29/2001)
07/06/2001	4	ORDER as to Jason William Cates granting [3-1] petition as to Jason William Cates (1); directing clerk to issue writ of habeas corpus ad prosequendum addressed to Easterling Correctional Facility, Clio, AL commanding him to deliver defendant Cates to USM and bring to court and return when Court is finished setting Arraignment for at 10:00 7/12/01 for Jason William Cates for Fifth Floor Courtroom before Mag. Judge Susan R. Walker in Fifth Floor Courtroom (Signed by Mag. Judge Susan R. Walker) Copies mailed to: Deft., Copies furnished to: USA, USM, USPO, USPTS, FD, YG , HC, JT (dmk) (Entered: 07/06/2001)
07/06/2001	5	WRIT of Habeas Corpus ad Prosequendum issued as to Jason William Cates for July 12, 2001 (dmk) (Entered: 07/06/2001)
07/06/2001		**Location LO (per 7/6/01 writ) as to Jason William Cates (defendant in Montgomery City Jail per USM's Office) (snc) (Entered: 07/18/2001)
07/12/2001		Initial appearance as to Jason William Cates held before Mag. Judge Susan R. Walker on 7/12/01 (Defendant informed of rights.) (jct) (Entered: 07/12/2001)
07/12/2001	6	CJA 23 FINANCIAL AFFIDAVIT by Jason William Cates (jct) (Entered: 07/12/2001)
07/12/2001		ORAL ORDER as to Jason William Cates , Appointing Counsel - Federal Defender (Entered by Mag. Judge Susan R. Walker) (jct) (Entered: 07/12/2001)
07/12/2001		**Added for Jason William Cates Attorney Federal Defender (jct) (Entered: 07/12/2001)
07/12/2001		ARRAIGNMENT as to Jason William Cates held before Mag. Judge Susan R. Walker on 7/12/01 Defendant(s) appeared with counsel and after having been advised of Defendant(s)' rights, entered a plea of not guilty. (jct) (Entered: 07/12/2001)

07/12/2001		PLEA of Not Guilty: Jason William Cates (1) count(s) 1, 2 ; Court accepts plea. (jct) (Entered: 07/12/2001)
07/12/2001	7	Courtroom Deputy's Minutes as to Jason William Cates : Initial Appearance/Arraignment (Tape #2111) (jct) (Entered: 07/12/2001)
07/13/2001	8	Arrest WARRANT Returned Executed as to Jason William Cates on 7/11/01 (ws) (Entered: 07/16/2001)
07/17/2001	<u>9</u>	ORDER as to Jason William Cates Appointing Federal Public Defender (Signed by Mag. Judge Susan R. Walker) Copies mailed to: Deft, Copies furnished to: USA, USM, USPO, USPTS, FD, SC, JT (ws) (Entered: 07/18/2001)
07/17/2001	<u>10</u>	ORDER on Arraignment as to Jason William Cates setting a U.S. Probation Officer conference for 8/7/01 at 9:30 a.m.; directing that Discovery be conducted according to the requirements of this court's Standing Order on Criminal Discovery; that the government provide initial disclosures on or before 7/12/01; the defendant shall provide disclosures on or before 7/19/01; All Pretrial Motions must be filed no later than 8/3/01; directing that Pretrial Conference set for 10:45 a.m. on 8/8/01 for Jason William Cates in chambers before Mag. Judge Susan R. Walker; Jury Trial set for 10:00 a.m. on 9/5/01 for Jason William Cates in U.S. Courthouse before Unassigned Judge; Jury Selection set for 10:00 a.m. on 9/5/01 for Jason William Cates in U.S. Courthouse before Unassigned Judge and government response to pretrial motions due 10 days from motion filing date. (Signed by Mag. Judge Susan R. Walker) Copies mailed to: Deft, Copies furnished to: USA, USM, USPO, USPTS, FD, WR, SC, JT, HC, YG (ws) (Entered: 07/18/2001)
07/17/2001	11	NOTICE of Appearance for Jason William Cates by (Appointed) Attorney Joseph Peter Van Heest (snc) (Entered: 07/18/2001)
08/03/2001	12	NOTICE OF INSANITY DEFENSE by Jason William Cates (ws) (Entered: 08/06/2001)
08/08/2001		Pre-trial conference as to Jason William Cates held before Mag. Judge Susan R. Walker on 8/8/01 (jct) (Entered: 08/08/2001)
08/08/2001	13	Courtroom Deputy's Minutes as to Jason William Cates : Pretrial Conference (Tape #2126) (jct) (Entered: 08/08/2001)
08/20/2001	<u>14</u>	PRETRIAL CONFERENCE ORDER as to Jason William Cates setting Jury Selection for 9/5/01 , setting Jury Trial on 10:00 9/5/01 before Judge Myron H. Thompson , setting voir dire questions due on 8/29/01 , setting Motion in Limine Filing deadline for 8/29/01 , setting proposed jury instructions due on 8/29/01 , and setting Plea Agreement deadline for (Signed by Mag. Judge Susan R. Walker) Copies mailed to: dft, Copies faxed to: USA, FD, USPO, USPTS, USM and furnished YG, HC, WAR (snc) (Entered: 08/21/2001)

08/20/2001		CASE assigned to Judge Myron H. Thompson (snc) (Entered: 08/21/2001)
08/23/2001	<u>15</u>	TRIAL NOTICE as to Jason William Cates ; Trial set for 10:00 9/5/01 for Jason William Cates at Second Floor Courtroom ; TRIAL Notice to dft, faxed to FD, USA, USM, USPO, USPTSO; Juror Profile & Clothing Notices attached (snc) (Entered: 08/23/2001)
08/23/2001	16	Unopposed MOTION by Jason William Cates to continue trial [16-1] referred to Judge Myron H. Thompson (snc) (Entered: 08/23/2001)
08/23/2001	17	WAIVER of Speedy Trial by Jason William Cates Referred to Judge Thompson (snc) (Entered: 08/23/2001)
08/24/2001	<u>18</u>	ORDER as to Jason William Cates granting [16-1] motion to continue trial as to Jason William Cates (1) Continuing trial in Interests of Justice Time Excluded from 8/24/01 to 10/22/01 , resetting Jury Selection for 10:00 10/22/01 for Jason William Cates before Judge Ira De Ment , and Jury Trial on 10:00 10/22/01 for Jason William Cates Judge Myron H. Thompson (by Judge Myron H. Thompson) Copies mailed to: dft, faxed to: USA, USM, USPO, USPTSO, FD, and furnished RL, YG, HC, WAR (snc) (Entered: 08/24/2001)
08/28/2001	19	NOTICE OF FILING PSYCHOSOCIAL EVALUATION and MOTION to Seal [19-1] by Jason William Cates referred to Mag. Judge Susan R. Walker SEALED per 8/28/01 Order (ws) Modified on 09/12/2001 (Entered: 08/29/2001)
08/28/2001	20	Psychiatric Report (Sealed) received as to Jason William Cates (ws) (Entered: 08/29/2001)
09/12/2001	<u>21</u>	STAMPED ORDER as to Jason William Cates granting [19-1] motion to Seal (report) (Entered by Mag. Judge Susan R. Walker) Copies furnished to: FD, USA, USPO, USPTS SEALED (snc) Modified on 09/12/2001 (Entered: 09/12/2001)
09/12/2001	<u>22</u>	ORDER as to Jason William Cates resetting Pretrial Conference for 3:15 9/24/01 before Mag. Judge Susan R. Walker In Chambers (Signed by Mag. Judge Susan R. Walker) Copies mailed to: dft, Copies furnished to: FD, USA, USM, USPO, USPTS and furnished JT, YG, HC (snc) (Entered: 09/12/2001)
09/12/2001		** Renoticed document [21-1] order (to select all parties) (snc) (Entered: 09/12/2001)
09/24/2001		Pre-trial conference as to Jason William Cates held before Mag. Judge Susan R. Walker on 9/24/01 (Tape No. 5001w) (dmk) (Entered: 09/24/2001)
09/24/2001	23	Courtroom Deputy's Minutes as to Jason William Cates : Pretrial conference held before Mag. Judge Walker (Tape No. 5001w) (dmk) (Entered: 09/24/2001)

09/26/2001	<u>24</u>	PRETRIAL CONFERENCE ORDER as to Jason William Cates Setting Jury Selection for 10:00 a.m. on 10/22/01 for Jason William Cates at U.S. Courthouse before Judge Myron H. Thompson ; Setting Jury Trial on 10:00 a.m. on 10/22/01 for Jason William Cates before Judge Myron H. Thompson in U.S. Courthouse , and is expected to last 1 day; there are no motions currently pending and the time set by the court for filing motions has passed; Set voir dire questions due on or before 10/15/01 for Jason William Cates ; All Motions in Limine shall be filed on or before 10/15/01; Set proposed jury instructions due on or before 10/15/01 for Jason William Cates; the last day the court will entertain a plea is 10/17/01 (Signed by Mag. Judge Susan R. Walker) Copies mailed to: Dft, Copies to: USA, USM, USPO, USPTS, FD, SC, HC, YG, WR, JT (ws) Modified on 09/26/2001 (Entered: 09/26/2001)
09/27/2001		Deadline updated as to Jason William Cates, Setting Jury Selection for 10:00 a.m. on 10/22/01 for Jason William Cates at First Floor Courtroom before Judge Ira De Ment in U.S. Courthouse , Setting Jury Trial on 10:00 a.m. on 10/29/01 for Jason William Cates before Judge Myron H. Thompson in Second Floor Courtroom pursuant to Judge Thompson's Order filed on 8/24/01 (ws) Modified on 09/27/2001 (Entered: 09/27/2001)
10/04/2001	<u>25</u>	TRIAL NOTICE as to Jason William Cates ; Trial set for 9:00 10/29/01 for Jason William Cates at Second Floor Courtroom ; TRIAL Notice to dft, FD, USA, USM, USPO, USPTS; juror profile and clothing Notices attached (snc) (Entered: 10/04/2001)
10/15/2001	<u>26</u>	ORDER as to Jason William Cates referring the defendant to the Magistrate Judge for guilty plea proceedings (Signed by Judge Myron H. Thompson) Copies mailed to: dft, Copies furnished to: FD, USA, USM, USPO, USPTS, Judge Walker, JT (snc) (Entered: 10/15/2001)
10/15/2001	<u>27</u>	ORDER as to Jason William Cates setting Change of Plea Hearing for 10:00 10/16/01 for Jason William Cates at Third Floor Courtroom before Mag. Judge Susan R. Walker in Third Floor Courtroom , and directing clerk to notify counsel by facsimile (Signed by Mag. Judge Susan R. Walker) Copies mailed to: dft, Copies faxed to: FD, USA, USM, USPO, USPTS, JT, YG, HC (snc) (Entered: 10/15/2001)
10/16/2001		Change of Plea hearing held in order for defendant to change his/her plea to a plea of, Guilty: Jason William Cates (1) count(s) 1 . Court Accepts Plea. Count 2 to be dismissed at sentencing. (jct) (Entered: 10/16/2001)
10/16/2001	28	Consent by counsel and defendant to enter guilty plea before U. S. Magistrate Judge as to Jason William Cates (jct) (Entered: 10/16/2001)
10/16/2001	29	Courtroom Deputy's Minutes as to Jason William Cates : Change of Plea Hearing ORAL PLEA AGREEMENT (Jimmy Dickens, Court Reporter) (jct) (Entered: 10/16/2001)

10/16/2001		ORAL ORDER remanding defendant to custody of U. S. Marshal as to Jason William Cates (Entered by Mag. Judge Susan R. Walker) (jct) (Entered: 10/16/2001)
10/16/2001	<u>30</u>	REPORT AND RECOMMENDATIONS of Mag. Judge Susan R. Walker as to Jason William Cates Re: Guilty Plea, Objections due by 10/26/01 [30-1] report and recommendations Copies mailed to: dft, Copies faxed to: FD, USA, USPO, USTPS, USM (snc) (Entered: 10/16/2001)
10/22/2001		**Terminated trial deadlines as to Jason William Cates (snc) (Entered: 10/23/2001)
10/23/2001	31	PRO SE MOTION by Jason William Cates for Joseph Van Heest to Withdraw as Attorney [31-1] referred to Mag. Judge Susan R. Walker (snc) (Entered: 10/23/2001)
10/31/2001	<u>32</u>	ORDER as to Jason William Cates accepting the defendnat's plea of guilty to Count I of the indictment and adjudging him guilty (Signed by Judge Myron H. Thompson) Copies mailed to: dft, Copies furnished to: USA, FD, USPO, USPTSO, USM (snc) (Entered: 10/31/2001)
10/31/2001	<u>33</u>	ORDER as to Jason William Cates setting Sentencing for 9:00 1/4/02 before Judge Myron H. Thompson in Second Floor Courtroom , directing counsel to communicate in writing to the PO on obe before 12/13/01 any objections to the PSR , and directing parties to be available for a conference with the PO on 12/14/01 at 9:00 a.m., as outlined in order (Signed by Judge Myron H. Thompson) Copies mailed to: dft, Copies furnished to: FD, USA, USM, USPO, USPTS, YG, HC (snc) (Entered: 10/31/2001)
11/02/2001	<u>34</u>	ORDER as to Jason William Cates directing the defendant to show cause why his current counsle should be replaced by 1/19/01 or file a motion to withdraw his motion re [31-1] motion for Joseph Van Heest to Withdraw as Attorney and directing the Clerk to attach a copy of the defendant's letter to this order. (Signed by Mag. Judge Susan R. Walker) Copies mailed to: dft, Copies furnished to: FD, USA, USPO, USPTS (snc) (Entered: 11/02/2001)
11/27/2001	35	Pro Se MOTION by Jason William Cates for Appointment of New Counsel [35-1] referred to Mag. Judge Susan R. Walker (snc) (Entered: 11/28/2001)
11/28/2001	<u>36</u>	ORDER as to Jason William Cates denying [31-1] motion for Joseph Van Heest to Withdraw as Attorney as to Jason William Cates (1) (Signed by Mag. Judge Susan R. Walker) Copies mailed to: Defendant, Copies furnished to: USA, USM, USPO, USPTS, FD, SC, JT (ws) (Entered: 11/28/2001)
11/30/2001	<u>37</u>	ORDER as to Jason William Cates Setting Motion hearing for 10:00 a.m. on 12/13/01 for Jason William Cates before Mag. Judge Susan R. Walker in Third Floor Courtroom re: [35-1] for Appointment of New Counsel;

		directing present counsel for defendant to consult with defendant and attempt to resolve the issues raised by defendant prior to hearing; directing the Clerk of the Court to serve a copy of the letter on Attorney Joe Van Heest and a copy of the order on both Attorney Van Heest and defendant; directing the U.S Marshal to produce defendant for hearing if the matter is not resolved. (Signed by Mag. Judge R. Walker) Copies mailed to: Defendant, Copies furnished to: USA, USM, USPO, USPTS, FD, JT, SC, YG, HC (ws) (Entered: 11/30/2001)
12/13/2001		Motion hearing held before Mag. Judge Susan R. Walker as to Jason William Cates re: [35-1] motion for Appointment of New Counsel, [31-1] motion for Joseph Van Heest to Withdraw as Attorney (jct) (Entered: 12/13/2001)
12/13/2001	38	Courtroom Deputy's Minutes as to Jason William Cates :Hearing on defendant's motion for new counsel (Witness list attached) (Tape #5005W) (jct) (Entered: 12/13/2001)
12/19/2001	39	MOTION by Jason William Cates to continue sentencing [39-1] referred to Judge Myron H. Thompson (snc) (Entered: 12/20/2001)
01/03/2002	40	ORDER as to Jason William Cates granting [39-1] motion to continue sentencing as to Jason William Cates (1) Resetting Sentencing for 10:00 a.m. on 2/15/02 for Jason William Cates in Second Floor Courtroom before Judge Myron H. Thompson at U.S. Courthouse (Signed by Judge Myron H. Thompson) Copies mailed to: Defendant, Copies furnished to: USA, USM,USPO, USPTS, FD, SC, YG,HC (ws) (Entered: 01/03/2002)
02/01/2002	41	Pro Se MOTION by Jason William Cates for Appointment of Counsel [41-1] referred to Mag. Judge Susan R. Walker (snc) (Entered: 02/01/2002)
02/06/2002	42	Unopposed MOTION by Jason William Cates for Mental Health Examination [42-1] referred to Judge Myron H. Thompson (snc) (Entered: 02/07/2002)
02/06/2002	43	Unopposed MOTION by Jason William Cates to Continue Sentencing [43-1] referred to Judge Myron H. Thompson (snc) (Entered: 02/07/2002)
02/06/2002	44	MOTION by Jason William Cates to Extend Time to Respond to Draft Presentence Report [44-1] referred to Judge Myron H. Thompson (snc) (Entered: 02/07/2002)
02/07/2002	45	ORDER as to Jason William Cates granting [42-1] motion for Mental Health Examination, directing the USM to immediately remove defendant to a facility for observation and examination for a period of 45 days by a psychiatrist; setting psychiatric report deadline for 45 days from the date the defendant arrives at the institution , directing that the defendant be incarcerated and remain at the institution until further order of this court; directing the clerk to furnish the USM with three certified copies of this order (Signed by Judge H. Thompson) Copies mailed to: dft, Copies furnished to: fd, usa, usm (3 certified cys), uspo, usptso (snc) (Entered: 02/07/2002)

		02/07/2002)
02/07/2002	<u>46</u>	ORDER as to Jason William Cates granting [43-1] motion to Continue Sentencing as to Jason William Cates (1) resetting Sentencing for 8:15 5/21/02 before Judge Myron H. Thompson in Second Floor Courtroom (Signed by Judge Myron H. Thompson) Copies mailed to: dft, Copies furnished to: fd,usa,usm,uspo,yg,hc (snc) (Entered: 02/07/2002)
02/07/2002	<u>47</u>	ORDER as to Jason William Cates granting [44-1] motion to Extend Time to Respond to Draft Presentence Report, and directing that response is due 14 days after the court enters an order on defendant's competency to be sentenced. (Signed by Judge Myron H. Thompson) Copies mailed to: dft, Copies furnished to: usa, uspo, uspto (snc) (Entered: 02/07/2002)
02/07/2002	<u>48</u>	Attorney Van Heest's NOTICE of Filing of Correspondence from defendant Jason William Cates. Letter dated 2/5/02 from defendant attached. Referred to Mag Judge Susan Walker (snc) (Entered: 02/07/2002)
02/19/2002	<u>49</u>	ORDER as to Jason William Cates denying as moot [41-1] motion for Appointment of Counsel and [35-1] motion for Appointment of New Counsel, in light of the letter from defendant filed 2/7/02. (Signed by Mag. Judge Susan R. Walker) Copies mailed to: dft, Copies furnished to: fd, usa, usm, uspo, uspto (snc) (Entered: 02/19/2002)
03/07/2002	<u>50</u>	LETTER (to Judge Thompson) from Federal Detention Center, Miami, FL as to Jason William Cates REQUESTING additional time for evaluation (snc) (Entered: 03/08/2002)
03/07/2002	<u>51</u>	ORDER as to Jason William Cates granting BOP's request for additional time to evaluate and report on the mental condition of the defendant (Signed by Judge Myron H. Thompson) Copies furnished to: counsel, usa, usm, uspo, uspts (snc) (Entered: 03/08/2002)
03/08/2002		Deadline updated as to Jason William Cates, resetting Evaluation Report deadline to 4/22/02 for Jason William Cates pursuant to BOP's request and Court's 3/7/02 order DN 51 (snc) (Entered: 03/08/2002)
04/26/2002	<u>52</u>	Psychiatric Report (Sealed) received as to Jason William Cates Referred to Judge Thompson (snc) (Entered: 04/26/2002)
05/01/2002	<u>53</u>	ORDER as to Jason William Cates directing the USM to remove defendnat Cates from the custody of authorities at the Federal Detention Center in Miami, FL to Montgomery, AL , setting Mental Competency Hearing for 8:15 5/21/02 for Jason William Cates at Second Floor Courtroom before Judge Myron H. Thompson , and directing the clerk to furnisht the USM with 3 certified copies of this order (Signed by Judge Myron H. Thompson) , Copies furnished to: fd, usa, usm, uspo, uspto, yg, md (snc) (Entered: 05/01/2002)
05/16/2002	<u>54</u>	NOTICE of Arrival in District by US Marshals Service as to Jason William Cates (Return from Study and Observation) (snc) (Entered: 05/16/2002)

		05/17/2002)
05/20/2002	55	Return on execution of 5/1/02 order by US Marshals Service as to Jason William Cates (snc) (Entered: 05/20/2002)
05/21/2002		Competency Hearing as to Jason William Cates held before Judge Myron H. Thompson on 5/21/02 (snc) (Entered: 05/22/2002)
05/21/2002		Sentencing commenced before Judge Myron H. Thompson on 5/21/02 (snc) (Entered: 05/22/2002)
05/22/2002	56	ORDER as to Jason William Cates that defendant is DECLARED to be mentally competent to be tried, and to have been mentally competent throughout these proceedings, including during his entry of a guilty plea on 10/16/01 (Signed by Judge Myron H. Thompson) Copies mailed to: Defendant, Copies furnished to: USA, USM, USPO, USPTS, FD, SC (ws) (Entered: 05/22/2002)
05/22/2002		**Terminated document(s) as to Jason William Cates : terminating [30-1] report and recommendations Objections due by 10/26/01 [30-1] report and recommendations as to Jason William Cates (1) (sql) (Entered: 05/22/2002)
05/22/2002		Sentencing held (hearing completed) before Judge Myron H. Thompson on 5/22/02 Jason William Cates (1) count(s) 1 (snc) (Entered: 05/22/2002)
05/22/2002		MOTION in open court by Jason William Cates to UNSEAL Psychiatric Evaluations for the Limited Purpose of Allowing PO to Submit them to BOP with PSR [0-0] referred to Judge Myron H. Thompson (snc) (Entered: 05/22/2002)
05/22/2002		ORAL ORDER as to Jason William Cates granting [0-0] oral motion to UNSEAL Psychiatric Evaluations for the Limited Purpose of Allowing PO to Submit them to BOP with PSR (1) (Entered by Judge Myron H. Thompson) (snc) (Entered: 05/22/2002)
05/22/2002		MOTION in open court by USA as to Jason William Cates to Dismiss Count 2 of the Indictment [0-0] referred to Judge Myron H. Thompson (snc) (Entered: 05/22/2002)
05/22/2002		ORAL ORDER granting [0-0] oral motion to Dismiss Count 2 of the Indictment as to Jason William Cates (1) (Entered by Judge Myron H. Thompson) (snc) (Entered: 05/22/2002)
05/22/2002		DISMISSAL of Count(s) on Government Motion as to Jason William Cates Counts Dismissed: Jason William Cates (1) count(s) 2 (snc) (Entered: 05/22/2002)
05/22/2002	57	Courtroom Deputy's Minutes of May 21, 2002, COMPETENCY HEARING and May 21-22, 2002, Sentencing as to Jason William Cates before Judge Myron H. Thompson; Mitchell Reisner, Court Reporter (snc) (Entered: 05/22/2002)

05/23/2002	<u>58</u>	JUDGMENT Jason William Cates (1). The defendant, represented by Atty Joseph Van Heest, pleaded guilty to count 1 of the indictment on 10/16/01. As pronounced on 5/22/02, the defendant is sentenced to: Count 1 - 33 Mos Imp; 3 Yrs Sup Rel, as outlined in judgment; \$100 SA, due immediately. Count 2 - Dismissed on Government's 5/22/02 Oral Motion. The defendant shall stand committed upon release to federal custody; this sentence shall run consecutively to any state or federal sentence now being served. The defendant is remanded to the custody of the United States Marshal. (Signed by Judge Myron H. Thompson) Copies mailed to: dft, Copies furnished to: fd, usa, usm, uspo, usptso, finance clerk, usflu (snc) (Entered: 05/23/2002)
05/23/2002		**Case closed as to Jason William Cates (all defendants). party Jason William Cates (snc) (Entered: 05/23/2002)
06/11/2002	59	WRIT of Habeas Corpus ad Prosequendum executed as to Jason William Cates; defendant returned to Ventress Correctional Fac on 6/4/02 (snc) (Entered: 06/17/2002)
03/14/2003	60	Judgment Returned Executed as to Jason William Cates ; on 2/26/03 delivered to MNAM Marianna, FL (ws) (Entered: 03/17/2003)
07/07/2003		Received \$25.00 assessment payment from BOP for Jason William Cates; Receipt #98088 (ws) (Entered: 07/16/2003)
10/15/2003		Received \$25.00 assessment payment from BOP Jason William Cates; Receipt #99345 (ws) (Entered: 10/15/2003)
01/13/2004		Received \$25.00 assessment payment as to Jason William Cates; Receipt #100598 (ws) (Entered: 01/16/2004)
05/10/2004	60	Payment Received from BOP: as to Jason William Cates \$ 25.00 assessment; receipt number 102165 (ws,) (Entered: 05/14/2004)
12/09/2005	61	ORDER TRANSFERRING JURISDICTION from this District to the Northern District of Alabama as to Jason William Cates . Signed by Judge Myron H. Thompson on 7/21/05, signed by Judge Lynwood Smith (USDC NDAL) on 8/26/05 and received for transfer on 12/9/05. (snc) (Entered: 12/12/2005)
12/12/2005	61	Supervised Release Jurisdiction Transferred to Northern District of Alabama as to Jason William Cates; Transmitted Transfer of Jurisdiction form, with certified copies of indictment, judgment and docket sheet. (snc) (Entered: 12/12/2005)